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Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined fourth and fifth periodic report of the Republic of Moldova*

I. Introduction

1. The Committee considered the combined fourth and fifth periodic reports of the Republic of Moldova (CRC/C/MDA/4-5) at its 2231st and 2234th meetings (see CRC/C/SR.2231 and 2234), held on 18 and 19 September 2017, and adopted the present concluding observations at its 2251st meeting, held on 29 September 2017.

2. The Committee welcomes the submission of the combined fourth and fifth periodic reports of the State party and the written replies to the list of issues (CRC/C/MDA/Q/4-5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the ratification in 2010 of the Convention on the Rights of Persons with Disabilities. The Committee notes with appreciation the legislative, institutional and policy measures adopted to implement the Convention, in particular the Law No. 315 on social benefits for children, adopted in 2016; Law No. 140 on the Special Protection of Children at Risk and Those Separated from their Parents, adopted in 2013; the establishment in 2016 of the National Agency for Social Assistance; the 2014 National Strategy on Child and Family Protection and its corresponding Action Plan, with a particular focus on deinstitutionalization and prevention of violence against children; and the National Programme on the Development of an Integrated Social Service System (2008-2012).

III. Factors and difficulties impeding the implementation of the Convention

4. The Committee recognizes that the State party does not have control over the Transnistrian region, which impedes the implementation of the Convention there.

* Adopted by the Committee at its seventy-sixth session (11-29 September 2017).

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IV. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights under the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: abuse and neglect (para. 21), sexual exploitation and abuse (para. 23), children deprived of a family environment (para. 27), children with disabilities (para. 30), sale, trafficking and abduction (para. 41), and administration of juvenile justice (para. 43).

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

6. **The Committee reiterates its recommendation that the State party further develop a comprehensive legislative framework, fully compatible with the principles and provisions of the Convention, and ensure the effective implementation of child-related laws at the national, regional and local levels.**

Comprehensive policy and strategy

7. **The Committee, noting the adoption of sectoral strategies relating to child protection and education, recommends that the State party as a matter of priority establish and implement a comprehensive policy on children that encompasses all areas covered by the Convention and develop a strategy with the elements for its application, which is supported by sufficient human, technical and financial resources.**

Coordination

8. **Noting that the National Council for Child Rights Protection was reactivated in 2014, the Committee recommends that the State party provide the Council with a clear mandate and sufficient authority to coordinate all activities related to the implementation of the Convention at the cross-sectoral, national, regional and local levels. The State party should ensure that the coordinating body remains within the Office of the Prime Minister to facilitate high level intersectoral coordination, and is provided with the human, technical and financial resources necessary for its effective operation.**

Allocation of resources

9. **Noting the impact of the financial-economic situation in the State party, the Committee, with reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, strongly recommends that the State party:**

(a) **Further increase budget allocations for the implementation of the rights recognized in the Convention, and ensure a more balanced and equitable distribution of resources throughout the State party, including at the local level for social services;**

(b) **Utilize a child rights-oriented budgeting process, which specifies clear allocations to children in the relevant sectors and agencies, including specific indicators and a tracking system;**

(c) **Define strategic budgetary lines for all children, including those who may require social measures, and ensure their protection in times of financial crisis, especially with respect to health and education;**

(d) **Establish mechanisms to monitor and evaluate the efficacy, adequacy and equitability of the distribution of resources allocated to the implementation of the Convention.**

Data collection

10. **While noting the efforts of the State party to collect data on children, including the Multiple Indicator Cluster, and Child Labour Surveys, the Committee, with reference to its general comment No. 5 (2003) on general measures of implementation of the Convention, recommends that the State party:**

(a) **Improve expeditiously its data-collection system, including by establishing a centralized system covering all areas of the Convention, in particular with respect to vulnerable groups of children, including children living in poverty, children remaining behind whose parents have migrated abroad, children in street situations, Roma children, and children victims of sexual abuse and exploitation. The data should cover all areas of the Convention and be disaggregated by age, sex, disability, geographic location, ethnic and national origin, migration status and socioeconomic background;**

(b) **Ensure that the data and indicators are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies and programmes, and strengthen reporting compliance by all relevant ministries and institutions;**

(c) **Take into account the conceptual and methodological framework set out in *Human rights indicators: a guide to measurement and implementation when defining, collecting and disseminating information*;**[1]

(d) **Strengthen its technical cooperation with, among others, the United Nations Children's Fund (UNICEF).**

Independent monitoring

11. **The Committee, with reference to its general comment No. 2 (2002) on the role of national human rights institutions in the promotion and protection of the rights of the child, urges the State party to ensure the effective functioning of the Office of the Ombudsman for Children's Rights, including with regard to its funding, mandate and immunities in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), in particular with respect to receiving and investigating complaints made by or on behalf of children. The Committee also recommends that the respective roles and responsibilities of the People's Advocate Office and the Office of the Ombudsman be clearly defined to effectively discharge their mandates.**

Dissemination, awareness-raising and training

12. **The Committee recommends that the State party:**

(a) **Strengthen efforts to ensure systematic awareness-raising programmes, including campaigns, on the Convention among children, families and the general public;**

(b) **Continue to provide training to professionals working with and/or for children, including lawyers, judges and law enforcement officials.**

Cooperation with civil society

13. **The Committee recommends that the State party systematically involve civil society, including non-governmental organizations and children's organizations, in the development, implementation, monitoring and evaluation of policies, plans and programmes related to children's rights.**

[1] Available from www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf.

B. Definition of the child (art. 1)

14. **The Committee recommends that the State party amend its legislation to remove exceptions that allow marriage under the age of 18 years.**

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

15. **While noting the efforts of the State party in preventing and combating discrimination, the Committee recommends that the State party:**

(a) **Intensify efforts to ensure the effective elimination of any form of discrimination against children with disabilities, children belonging to ethnic minorities, in particular Roma children, lesbian, gay, bisexual, transgender and intersex children, and other groups of children in vulnerable situations, including children living in poverty, children remaining behind while their parents migrate abroad, and children in street situations. Such measures should include, among other things, the modification of relevant laws, continued training on police sensitivity and responsiveness to minorities, and awareness-raising campaigns and education, especially at the community level and in schools;**

(b) **Ensure appropriate funding from the central budget for additional Roma community mediators.**

Best interests of the child

16. **With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party strengthen its efforts to ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, and in all policies, programmes and projects that are relevant to and have an impact on children, including alternative care, adoption and juvenile justice. In that regard, the State party is encouraged to develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.**

Respect for the views of the child

17. **While welcoming various initiatives aimed at increasing child participation and noting the establishment in 2014 of the Strategy on Development of the Youth Sector, the Committee, with reference to its general comment No. 12 (2009) on the right of the child to be heard, recommends that the State party:**

(a) **Take measures to ensure the adoption and effective implementation of legislation recognizing the right of the child to be heard in relevant legal and administrative proceedings, including by establishing systems and/or procedures for social workers and courts to comply with the principle;**

(b) **Develop toolkits for public consultation on national policy development to standardize such consultation at a high level of inclusiveness and participation, including involving the National and Local Children Advisory Councils, and consulting with children on issues that affect them;**

(c) **Continue to conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of all children within the family, community and schools, including within student council bodies;**

(d) **Expand the technical assistance project implemented in the child protection systems in 11 districts of the State party in cooperation with Public Association "Partnerships for Every Child".**

D. Civil rights and freedoms (arts. 7, 8 and 13-17)

Birth registration

18. **While noting the expansion of the network of civil status offices into remote locations, the establishment of an electronic birth register, and increased monitoring, the Committee recommends that the State party continue to strengthen efforts to ensure that all births in the State party are registered, including of Roma children, children born at home, children born to adolescent mothers and children born out of wedlock.**

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

19. **While noting efforts to combat corporal punishment as a means of discipline, which is still widespread and culturally acceptable in the State party, the Committee, with reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, and general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, urges the State party to enforce the legislative prohibition of corporal punishment in all settings, including through awareness-raising programmes; and also recommends that the State party expand parenting education programmes and training for professionals working with and for children, in order to promote positive, non-violent and participatory forms of child-rearing and discipline.**

Abuse and neglect

20. While welcoming the adoption of the Law No. 45/2007 on Preventing and Combatting Domestic Violence and the National Child Protection Strategy (2014-2020), and the establishment of the free Child Helpline in 2014, the Committee is concerned about the high number of children subject to abuse and neglect, including psychological abuse, both at home, in institutions and at school, and the lack of support to child victims of abuse and neglect.

21. **With reference to its general comment No. 13, and taking note of target 16.2 of the Sustainable Development Goals on ending abuse, exploitation, trafficking and all forms of violence and torture of children, the Committee recommends that the State party:**

(a) **Ensure implementation of Law No. 45/2007 and step up implementation of the National Child Protection Strategy;**

(b) **Strengthen implementation of the intersectoral mechanism of cooperation for identification, assessment, referral, assistance and monitoring of children victims and potential victims of violence, neglect, exploitation and trafficking, approved in 2014, by ensuring it has adequate human, technical and financial resources;**

(c) **Continue to take all appropriate measures to ensure that reporting of child abuse and neglect is mandatory for all persons working with and for children, in particular children with disabilities, and provide an accessible mechanism for children, including children with disabilities, and others to report cases of abuse and neglect, including within institutions and schools, ensuring the necessary protection for such victims, and to monitor, prevent and take action on behalf of children at risk;**

(d) **Continue to provide the necessary training to all professionals working with and for children, in particular in rural areas and the southern region, including systematic training to law enforcement officers on how to prevent and monitor domestic violence, and receive and investigate complaints in a child-sensitive manner;**

(e) **Increase the number of shelters for child victims of abuse and neglect, including sexual abuse and exploitation, and facilitate the physical and psychological**

rehabilitation of the child victims, including in rural areas, and in particular the southern region of the State party;

(f) **Strengthen education programmes and awareness-raising campaigns with the involvement of children for families in situations of poverty and marginalized families, with a focus on parenting skills and alcohol abuse counselling for parents, and raise awareness among all children of the Child Helpline and the PANDA programme.**

Sexual exploitation and abuse

22. While noting the approval of Law No. 263 in 2011 on the protection of children against sexual exploitation and sexual abuse, the Committee is seriously concerned that the incidence of sexual abuse and exploitation of children has increased, including within the family, and in particular involving girls. It is also concerned about reports of inaction by law enforcement officials in investigating cases and even direct involvement of such officials as perpetrators of such abuse.

23. **The Committee urges the State party:**

(a) **To establish mechanisms, procedures and guidelines to ensure mandatory reporting of child sexual abuse and exploitation, and ensure that acts of sexual abuse and exploitation are effectively investigated and that the perpetrators, including those from the law enforcement sector, are brought to justice;**

(b) **To conduct awareness-raising and education programmes, in particular among children and their parents to combat sexual exploitation and abuse, including online, and ensure accessible, confidential, child-friendly and effective reporting channels for such violations;**

(c) **To continue to provide the necessary training to all professionals working with and for children, in particular in rural areas and the southern region, including systematic training to law enforcement officers on how to prevent and monitor domestic violence, and to receive and investigate complaints in a child- and gender-sensitive manner that respects the privacy of the victim; and ensure that child protection agencies are adequately staffed and funded;**

(d) **To ensure the development of programmes and policies for the prevention, recovery and social reintegration of child victims of sexual abuse and exploitation.**

Harmful practices

24. **The Committee recommends that the State party adopt a national strategy on child marriage and continue to provide comprehensive awareness-raising programmes on the negative consequences of child marriage on children, in particular among the Roma population.**

F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

25. **Taking into account the significant number of children remaining behind in the State party whose parents have migrated abroad, the Committee recommends that the State party take all appropriate measures to ensure that children are taken care of and receive maintenance. It also recommends that the State party consider acceding to the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children; the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance; and the Hague Protocol of 2007 on the Law Applicable to Maintenance Obligations.**

Children deprived of a family environment

26. The Committee commends the deinstitutionalization reform and welcomes the adoption of legislative and policy measures on child protection and the State party's intention to review the system of trusteeship and guardianship bodies and other initiatives to strengthen the child protection system, including the establishment of gate-keeping commissions, and enhancing the quality of social services to families with children at risk. It is concerned, however, about:

(a) The lack of funding for services, inadequate qualified staff and weak coordination among various service providers which has a negative impact on the implementation of Law No. 140/2014;

(b) The increasing number of children being legally separated from the parents, the rate of abandonment of newborn children and the still-high number of children in institutions, in particular children under 3 years of age, and children remaining behind whose parents have migrated abroad;

(c) The lack of individual care plans and inadequate monitoring of institutional placement of children, which perpetuates their institutionalization and minimizes the child's chances of reintegration within the family, and the lack of adequate support for children that age out of the system for independent living;

(d) Children in prison with their mothers.

27. **Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:**

(a) **Strengthen implementation of the Law No. 140/2014 by providing adequate funding and an adequate number of qualified staff, strengthen coordination among all service providers within the guardianship authority, and continue to review the framework regulations and minimum quality standards to ensure that they are fully in line with the Guidelines;**

(b) **Continue to support and facilitate family-based care for children wherever possible, including by increasing financial support to families in situations of poverty, ensuring that a child should never be removed from parental care solely owing to financial and material poverty both in law and in practice, and also strengthen prevention services, including by implementing the National Programme on Parental Skills Development, as well as psychosocial interventions to address alcoholism within the family with a view to further reducing the institutionalization of children;**

(c) **Continue to expand alternative care services, including foster family placement services and family-type homes, and ensure their availability in all regions of the State party, in particular for children with disabilities and those aged 0 to 3 years, and children remaining behind whose parents have migrated abroad;**

(d) **Ensure adequate support to children who age out of the care system, including by ensuring housing in accordance with Law No. 111 of 1994 on the rights of the child and Law No. 75 of 2015 on housing, and other support services to assist in their transition to independent living;**

(e) **Increase the number of social workers to provide outreach for the identification of at-risk children in all regions of the State party and to connect those children with appropriate child protection mechanisms;**

(f) **Ensure that all alternative care service providers are accredited through the National Council for Accreditation of Social Service Providers, ensure adequate government oversight, including the periodic review of the placement of children in alternative care, and monitor the quality of care therein, in particular by providing accessible channels for reporting, monitoring and remedying maltreatment of children;**

(g) **Take urgent measures to ensure that living conditions for children in prison with their mothers are adequate for the child's physical, mental, moral and**

social development, and seek alternative measures to institutional confinement for pregnant women and mothers with small children, wherever possible.

Adoption

28. **Noting the adoption of the 2010 Law on the Legal Regime of Adoption, the Committee recommends that the State party take further measures to ensure that national adoption procedures are not unnecessarily lengthy, that both national and intercountry adoptions are properly regulated and monitored, and that adoption practices are in line with the Convention. The Committee also recommends that the State party establish standard guidelines for the screening of potential adoptive parents, and to provide training and support to adoptive parents, and ensure that the views of the child, according to his or her maturity, are heard and given due consideration in adoption proceedings.**

G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)

Children with disabilities

29. The Committee welcomes the legislative measures taken to further protect the rights of children with disabilities, efforts to integrate children with disabilities into mainstream education as part of the National Education Strategy, the Programme for the Development of Inclusive Education, and efforts to increase social allowances and support for caretakers and children with disabilities. However, it is concerned that:

(a) Children with disabilities continue to face discrimination and are not effectively integrated into all areas of social life, including the education system;

(b) Curricula are not adapted for children with disabilities and there is an inadequate number of qualified teachers in special and inclusive education for children with disabilities;

(c) There is a high rate of institutionalization of children with disabilities, especially those with psychosocial and/or intellectual disabilities, in facilities in inhumane conditions, where they are exposed to neglect and segregated from the community;

(d) Health care and rehabilitation services are inadequate;

(e) Financial assistance and other support services to families with children with disabilities are also inadequate;

(f) There is inadequate data on children with disabilities, including those who have not been identified as such and provided with disability identification cards to gain access to social services.

30. **In the light of its general comment No. 9 (2006) on the rights of children with disabilities, and taking note of targets 4, 8, 10 and 11 of the Sustainable Development Goals, the Committee urges the State party to adopt a human rights-based approach to disability and recommends that it:**

(a) **Continue to strengthen efforts to implement the requisite legislative framework and policies for the effective protection of the rights of children with disabilities, and take all the measures necessary to ensure that such children are integrated fully into all areas of social life;**

(b) **Strengthen access to inclusive education at all levels, including preschool and high school education, for all children with disabilities, including psychosocial disabilities, ensure that all schools are accessible and continue to develop tools and the capacity of teachers, including those qualified in sign language;**

(c) **Step-up efforts to adapt school activities, materials and the environment and provide accessible transportation to district schools for children with disabilities;**

(d) Continue efforts to deinstitutionalize children with disabilities, strengthen support to families with such children, including financial support, in particular in rural areas, expand the mobile social service teams and personal assistance social service programme, and ensure an equal and fair budgeting process for the latter;

(e) Develop and implement a comprehensive strategy on early childhood development and disability prevention, raise awareness among professionals working with children and parents on early detection of developmental delays and intervention programmes for children at risk, and expand access to rehabilitation services in the State party;

(f) Strengthen overall coordination of health, education and social services to promote the social inclusion of children with disabilities, including promoting integrated services, to ensure comprehensive services for children with special educational needs;

(g) Undertake awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of and prejudice against children with disabilities;

(h) Ensure that all children with disabilities are provided with identification cards to access social services.

Health and health services

31. While noting the efforts on health sector reform and progress made in health goals, including the significant decrease in infant mortality and under-5 mortality rates, improvements in the rate of stunting and high preventive vaccination coverage, the Committee is concerned about the still-high maternal and child mortality rates, especially at home due to preventable causes of death, a decrease in immunization rates, inadequate healthcare facilities, inadequate access to hygienic sanitation facilities and clean drinking water, and a decrease in the rate of exclusive breastfeeding.

32. **With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and taking note of targets 3.1 and 3.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) Continue to strengthen efforts to ensure access to quality health care, in particular perinatal health care and paediatric emergency health-care services in all parts of the State party, including by expanding the Cross-sector Cooperation Mechanism in the medical and social fields;

(b) Strengthen the national immunization programme to prevent outbreaks of vaccine preventable diseases and establish awareness-raising programmes, including campaigns on immunizations;

(c) Ensure that primary health-care facilities are adequately provided with equipment, drugs, supplies and skilled human resources, especially in rural areas;

(d) Continue to expand access to hygienic sanitation facilities and clean drinking water, in particular in rural areas;

(e) Continue to take measures to improve the practice of exclusive breastfeeding for the first six months, including through awareness-raising measures, providing information and training to relevant officials, particularly staff working in maternity units, and parents.

Mental health

33. **While noting the various reforms to the mental health system with the approval in 2012 of the National Mental Health Programme, the Committee, referring to its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, recommends that the State party strengthen both the quality and**

availability of services and programmes of mental health for children, and in particular take measures to increase the number of specialists in children's mental health care, and ensure adequate facilities specifically for children and outpatient services for psychosocial care and rehabilitation in all regions of the State party, with a particular focus on suicide prevention, including establishing a 24/7 crisis hotline.

Adolescent health

34. **While welcoming the various initiatives focusing on adolescent health, in particular regarding the prevention of HIV/AIDS and sexually transmitted diseases, as well as drug abuse, the Committee, with reference to its general comment No. 4 and taking note of target 3.5 and 3.7 of the Sustainable Development Goals, recommends that the State party:**

(a) **Undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation of adolescents, as a basis for future health policies and programmes;**

(b) **Strengthen adolescent reproductive health education in all schools to reduce the number of teenage pregnancies, including by strengthening the network of youth-friendly health centres;**

(c) **Ensure adequate coverage of services and access to affordable modern contraceptives;**

(d) **Ensure that adolescents have access to confidential physical and mental health services at all schools;**

(e) **Take effective measures to decrease and prevent adolescents' tobacco and alcohol consumption and drug abuse, providing children and adolescents with life skills education on preventing alcohol and substance abuse, and strengthen the "green line" service to promote healthy lifestyles;**

(f) **Remove age-related legislative barriers on gaining access to health services to ensure that at-risk adolescents have access to harm reduction, detox and rehabilitation programmes, and strengthen psychosocial services, including through the Psychosocial Rehabilitation Centre for Drug Users;**

(g) **Strengthen HIV/AIDS prevention programmes and awareness-raising campaigns, in cooperation with partners, with respect to adolescent drug users, commercial sex workers and children and adolescents in street situations, and take the measures necessary to prevent mother-to-child transmission.**

Standard of living

35. **While commending the significant reduction in the rate of absolute poverty and welcoming the various social benefit programmes introduced for women and children, the Committee draws attention to target 1.3 of the Sustainable Development Goals on implementing nationally appropriate social protection systems and measures for all, and recommends that the State party:**

(a) **Intensify efforts to address the high level of child poverty, in particular among children with disabilities, single-headed households, families in rural areas, families with more than three children, and Roma, including by increasing benefits, and ensuring equal access to social programmes, including housing;**

(b) **Strengthen the capacity of the social support service for families with children to provide adequate social services, with particular attention to children living in poverty in rural areas;**

(c) **Strengthen all social protection programmes to further improve outcomes for children and poverty reduction strategies, with a view to establishing a coherent framework to identify priority action against the exclusion of children, in particular those in situations of vulnerability, and to rationalize eligibility criteria.**

H. Education, leisure and cultural activities (arts. 28-31)

Education, including vocational training and guidance

36. **With reference to its general comment No. 1 (2001) on the aims of education, and taking note of targets 4.1, 4.2, 4.5 and 4.a of the Sustainable Development Goals, the Committee urges the State party:**

(a) **To ensure the right to compulsory and free education for all children at the primary and secondary levels, and continue efforts aimed at improving access to education, including preschool, by Roma children, in particular girls, and children from poor families, especially in rural areas, by addressing barriers to education, including inadequate funding, socioeconomic reasons, and transportation;**

(b) **To strengthen efforts to improve the retention and reduce the dropout rate, in particular by addressing the practice of child marriage, and develop and promote quality vocational training to enhance the skills of children, especially those who drop out of school, and ensure adequate facilities and equipment;**

(c) **To conduct a holistic review of the school curricula at all levels in order to offer a quality curricula that meets the needs and interests of the child, including by integrating cultural diversity, and adapting the school environment to promote inclusiveness of ethnic minorities in the classroom and regarding extracurricular activities;**

(d) **To take measures to increase the overall quality of education, in particular with respect to schools in rural areas, increase the number of qualified teachers and provide teaching materials, books and teaching methodologies;**

(e) **To ensure that all schools meet standardized quality standards with respect to water and sanitation facilities, and ensure access to play areas and other athletic and cultural facilities for all children, in particular those from marginalized backgrounds;**

(f) **To promote mother-tongue and bilingual education at all levels by qualified bilingual teachers;**

(g) **To continue to expand access to early education for all children and continue to improve facilities, including the provision of teaching materials and books, and teaching methodologies.**

I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)

Children in situations of migration

37. **The Committee recommends that the State party ensure that no migrant children are detained because of their migration status or that of their parents, and afford children migrants their rights under the Convention, including access to education, health care and social protection.**

Economic exploitation, including child labour

38. **While welcoming the adoption of the National Action Plan on the prevention and elimination of the most serious forms of child labour and other efforts in that regard, the Committee recommends that the State party:**

(a) **Take measures to prevent children, in particular boys and children from rural areas, from being exploited, especially in the agricultural sector, by ensuring that the relevant legislation, including the Labour Code and the Criminal Code, are enforced;**

(b) **Implement the above-mentioned National Action Plan and provide data in the next periodic report on specific measures taken to address child labour in the State party;**

(c) **Strengthen the labour inspectorates and monitoring mechanisms, in particular the Child Labour Monitoring Unit, and make data on the number of inspections and violations available publically;**

(d) **Continue cooperation with the International Labour Organization International Programme on the Elimination of Child Labour and UNICEF in raising awareness on the negative consequences of child labour through public educational programmes, organized in cooperation with government, business and community leaders, educators, families and the media.**

Children in street situations

39. **Noting the large number of children in street situations, especially in Chisinau, the Committee, with reference to its general comment No. 21 (2017) on children in street situations, recommends that the State party undertake a comprehensive study on the root causes, develop a comprehensive strategy for the protection of such children with the aim of preventing and reducing the phenomenon and provide adequate protection and assistance for recovery and reintegration to such children, including shelter, education and vocational training, adequate health-care services and other social services, including substance abuse programmes and mental health counselling.**

Sale, trafficking and abduction

40. While noting the various initiatives to combat trafficking in persons, including the National Plan for the prevention and combatting of human trafficking adopted in 2009, the Committee is concerned that the State party remains a country of origin for trafficking in persons for purposes of sexual and labour exploitation, and is also concerned about inadequate rehabilitation and reintegration services, and reports of alleged corruption in the judiciary and law enforcement that hinders the successful conviction and sentencing of traffickers.

41. **The Committee urges the State party to:**

(a) **Continue to implement the necessary legislative and policy measures to effectively combat all forms of child trafficking, including strengthening coordination within the national referral system for the assistance and protection of victims and potential victims of trafficking;**

(b) **Strengthen the Centre for Combatting Trafficking in Persons by providing it with adequate financial and personnel resources so that it may effectively discharge its mandate, including with respect to international investigations;**

(c) **Step-up investigations, prosecutions and convictions of offenders under the anti-trafficking provisions of the Criminal Code and the Criminal Procedure Code, including officials complicit in human trafficking, and strengthen comprehensive anti-corruption measures in line with its obligations under the United Nations Convention against Corruption;**

(d) **Increase training for judges, prosecutors, law enforcement officials and diplomatic personnel about the crime of trafficking and the anti-trafficking law, including on victim-centred approach to investigations;**

(e) **Protect victims and witnesses, including by exempting them from the requirement of in-person confrontation with the accused traffickers, and take additional measures to ensure that child victims of trafficking are assisted during pretrial and court proceedings;**

(f) **Enhance efforts to identify victims and potential victims among unaccompanied and separated children, children remaining behind whose parents have migrated abroad, children placed in institutions and children in other situations**

of vulnerability, and strengthen the implementation of appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, ensuring that education and training, as well as counselling, health care and other social services, are provided to them.

Administration of juvenile justice

42. While welcoming various legislative and policy initiatives to assist children in conflict with the law, including the Justice Sector Reform Strategy, the development of the Individual Juvenile Plan, and strengthening psychosocial programmes, the Committee is concerned about:

(a) The absence of a specialized juvenile court system in the State party, the lack of legislation with respect to children victims, witnesses and offenders, and the lack of child-sensitive interviewing facilities outside of the capital;

(b) The length of pretrial detention, quality of legal services provided to assist children in conflict with the law, conditions of detention facilities, inadequate access to quality education, including vocational training, ill-treatment, including physical beatings, solitary confinement, and children being held in adult detention facilities.

43. **The Committee, with reference to its general comment No. 10 (2007) on children's rights in juvenile justice, urges the State party to bring its juvenile justice system into line with the Convention and, in particular:**

(a) **Adopt and implement comprehensive juvenile justice legislation for all children under 18 years of age, as well as a strategy on preventing child offending;**

(b) **Establish specialized juvenile courts and continue to strengthen the capacity of judges, law enforcement personnel, lawyers, prosecutors and social workers with respect to child-sensitive juvenile justice throughout the State party;**

(c) **Strengthen the implementation of the Criminal Procedure Code in law and in practice, ensuring the hearings involving child defendants protect the privacy of children, be closed and held separately from other hearings, and develop child-friendly interviewing standards in all regions of the State party;**

(d) **Expedite the adoption of the regulation on the organization and operation of the support centre for child victims and witnesses of crime;**

(e) **Ensure the provision of qualified and independent legal representation to children in conflict with the law at an early stage of the procedure and throughout the legal proceedings;**

(f) **Promote measures for dealing with children accused of having infringed the penal law without resorting to judicial proceedings, such as diversion, probation, mediation, counselling or community service; and, wherever possible, use alternative measures at sentencing and ensure that detention is used as a last resort, for the shortest possible period of time and reviewed on a regular basis, with a view to withdrawing it; and implement the 2016-2020 Strategy for the Development of the Probation System;**

(g) **Strengthen reintegration, rehabilitation and vocational programmes, including in rural areas, for children in conflict with the law, and develop and implement training programmes for probation officers regarding the social reintegration of such children;**

(h) **In cases where detention is unavoidable, ensure that detention is used as a last resort, for the shortest possible period of time and reviewed on a regular basis, with a view to withdrawing it, that children are held separately from adults, including in the case of pretrial detention, and that detention conditions are compliant with international standards, including adequate nutritional food, sufficient exercise and outdoor activities, access to education and health services, including psychological counselling, and prohibit solitary confinement for children under all circumstances;**

(i) **Monitor conditions of detention, including by the Ombudsman for Children's Rights, and access to independent complaint procedures for detained children.**

Child victims and witnesses of crimes

44. **The Committee recommends that the State party ensure that laws and practices regarding justice for child victims and witnesses take fully into account the Guidelines on Justice in matters involving Child Victims and Witnesses of Crime,[7] and also recommends that the State party adopt the draft regulation on the organization and operation of the support centre for child victims and witnesses of crime, and increase the number of hearing rooms for child victims in all prosecutor offices, courts and police departments.**

Follow-up to the Committee's previous concluding observations and recommendations on the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography

45. **The Committee notes the measures taken to implement its concluding observations on the State party's initial report under the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography (CRC/C/OPSC/MDA/CO/1), including the approval in 2017 of the Action Plan on the Promotion of Internet Safety for Children and Teenagers, and the establishment of the Centre for Fighting Information Crimes, and encourages the State party to continue to take measures to implement the recommendations contained therein, in particular, those relating to sex tourism (para. 21), criminal legislation (para. 23), investigations and prosecutions (para. 25), extraterritorial jurisdiction and extradition (para. 27) and protection of the rights of child victims (paras. 29 and 31).**

Follow-up to the Committee's previous concluding observations and recommendations on the Optional Protocol to the Convention on children in armed conflict

46. **While welcoming the ratification by the State party of the Rome Statute of the International Criminal Court, the Committee regrets the limited information provided on the implementation of its concluding observations of 2009 on the State party's initial report under the Optional Protocol to the Convention on the involvement of children in armed conflict (CRC/C/OPAC/MDA/CO/1).**

J. Ratification of the Optional Protocol to the Convention on a communications procedure

47. **Noting that the State party is planning to undertake a feasibility study in this regard, the Committee encourages the State party, in order to further strengthen the fulfilment of children's rights, to ratify the Optional Protocol to the Convention on a communications procedure.**

K. Ratification of international human rights instruments

48. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the core human rights instruments to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Convention for the Protection of All Persons from Enforced Disappearance.**

[7] Economic and Social Council resolution 2005/20, annex.

V. Implementation and reporting

A. Follow-up and dissemination

49. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fourth and fifth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

50. The Committee recommends that the State party seek to strengthen its national mechanism for reporting and follow-up as a standing Government structure that is mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms, and to coordinate and track national follow-up and implementation of the treaty obligations and recommendations and decisions emanating from these mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution and civil society.

C. Next report

51. The Committee invites the State party to submit its combined sixth and seventh periodic reports by 24 August 2022 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purpose of its consideration by the treaty body cannot be guaranteed.

52. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements of the common core document in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.